

December 1, 1966

MEMORANDUM

TO: Boston Redevelopment Authority
FROM: Edward J. Logue, Development Administrator
SUBJECT: ZONING REFERRALS

I. ZONING COMMISSION - TABLED ITEM

Re: Map Amendment Application No. 41
Charles River Park "B" Co.
75 Blossom Court-West End Project
Boston

Project developers wish to reestablish a business zone in a small area at the head of Blossom Court in the West End Project. This area was zoned for Local Business in 1959 under the old code. However, though changes made under the old code at that time were usually incorporated in the proposed new zoning map by vote of the Zoning Commission, this change was not picked up, probably because it was felt that due to its small size, it was insignificant. Petitioner now asking for a B (General Business) zone whereas the former zone was an L (Local Business) zone. Certain uses are allowed in a B-district which are forbidden in an L-district though they would have been permitted in the old L-65 district. Nevertheless, the present B-zone would permit some uses which might not be in accord with the renewal plan, sale of automobiles, boeing alley, etc. Project Director suggests that the Authority recommend the change be confined to an L-2 zone since it is desired to keep the uses in the local neighborhood use category and there is objection to a blanket permit for uses not in the plan.

VOTED: That in connection with Map Amendment Application No. 41 by Charles River Park "B" Co., 75 Blossom Court in the West End, seeking a change in the Boston Proper Zoning Map within the West End Urban Renewal Project, to establish a B-2 (General Business) zone on a small area at the head of Blossom Court, now zoned as H-3 (Apartments), the Authority is opposed to a change to a general business zone but recognizes the need for a change in zone, an L-2 zone (Local Business) since it is desired to keep the uses in the local neighborhood use category and there is objection to a blanket permit for uses not in the plan.

II. BOARD OF APPEAL REFERRALS - TABLED

2.

Re: Petition No. Z-681
Capital Tire Company
22 Hunneman Street, Boston

A variance of front yard less than required is sought to erect a one story steel building in a light manufacturing (M-1*) district. The structure will be used to store tires and rubber. The South End staff has no objection and approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-681 brought by Capital Tire Company, 22 Hunneman Street, Boston, for a variance of front yard less than required to erect a one story steel building in a light manufacturing district, the Boston Redevelopment Authority has no objection to the granting of the variance. The proposed use meets with the approval of the South End Urban Renewal staff. There will be no serious hazard to vehicles or pedestrians from the use.

Re: Petition No. Z-682
The Congregation of the Sisters
of St. Joseph
615 Cambridge Street, Brighton

A variance of allowable maximum height is sought to erect an eight story building in a residential (R-.5) district. The proposed structure, to be used for a convent and motherhouse, will be no higher than the existing convent building which is to be razed. The immediate area is highly institutionalized, containing the Joseph P. Kennedy, Jr., Memorial Foundation and William Howard Taft school among other semi-public uses. It would appear that a zone change in the area would be justified in the future. Approval of the variance is recommended.

VOTED: That in connection with Petition No. Z-682 brought by the Congregation of the Sisters of St. Joseph, 615 Cambridge Street, Brighton, for a variance of allowable maximum height to erect an eight story building in a general residence district, the Boston Redevelopment Authority recommends the granting of the variance. The surrounding area is highly institutionalized, containing several large public and semi-public establishments. The new structure will be no higher than that which it will replace and it would appear that a zone change might be considered as future building activity takes place.

Re: Petition No. Z-683
Barnett Shillman
35 Richmere Road, Mattapan

Seven dimensional variances are sought to erect a two family dwelling in a residential (R-.5) district. The lot size (4000 square feet) is only half of the coderequirement. Appellant also lacks lot width, all yard requisites, and the floor area ratio is excessive. It is felt these variances should not be allowed where new construction is involved. Further, there are single family houses in the immediate area and there is no hardship entailed in conforming with the code requirement limiting sub-standard lots to single family houses.

VOTED: That in connection with Petition No. Z-683, brought by Barnett Shillman, 35 Richmere Road, Mattapan, for seven dimensional variances to erect a two family dwelling in a residential district, the Boston Redevelopment Authority is opposed to granting the variances. The lot size of 4000 square feet is only half of the code requirement. There is no practical difficulty or hardship involved in complying with the code requirement limiting sub-standard lots to single family houses. There are single family houses in the immediate area and the proposed violations are detrimental to the neighbors and public welfare.

Re: Petition No. Z-684
Arthur T Speros
509-511 Cambridge & 16-24 North Beacon Streets, Brighton

Appellant seeks to erect a gasoline service station, a conditional use, and a one story office and sales building, in a local business (L-1) district. The use would replace an auto repair shop and inspection station which have existed at the site for the last 20 years. The service center would not be concerned with repair or inspection and will not house any vehicles. Approval is recommended.

VOTED: That in connection with Petition No. Z-684 brought by Arthur T Speros, 509-511 Cambridge and 16-24 North Beacon Streets, Brighton, for a conditional use permit to erect a gasolone service station and one story office and sales building in a local business district, the Boston Redevelopment Authority has no objection to the granting of the permit. The service center will replace automotive facilities which have existed at the site for the past 20 years and will be more beneficial to consumers in the area.

LII. BOARD OF APPEAL REFERRALS - CURRENT

4.2

Re: Petition No. Z-685
Christ Temple Church
30 Kenilworth Street, Roxbury

Appellant proposes to erect a one-story and basement church in an apartment (H-1) district with variances of rear yard, setback of parapet from rear lot line and off-street parking less than required. The church will be erected on existing foundations. Transportation-Engineering Department reports favorably. Many parishioners live within walking distance. The Campus High Project staff has no objection. Approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-685 brought by Christ Temple Church, 30 Kenilworth Street, Roxbury, for three variances to erect a one-story and basement church in an apartment (H-1) district, the Boston Redevelopment Authority has no objection to the granting of the variances. The new church will replace one destroyed by fire several years ago. There will be a genuine need for this church in the Madison Park area.

Re: Petition No. Z-686
Anne M. Britt
49 Symphony Rd., Boston

Setback of rear parapet is less than required to change occupancy from a garage, repair and paint shop to a four story and basement 46 apartment building in an apartment (H-3) district. The Fenway Project Director recommends approval. The proposed conversion would remove an eyesore and a non-conforming use; it conforms to the objectives of the Fenway Urban Renewal Plan and should stimulate further rehabilitation beneficial to the area.

Optional case

VOTED: That in connection with Petition No. Z-686 brought by Anne M. Britt, 49 Symphony Road, Boston, for variance of setback of rear parapet less than required to change occupancy from garage, repair and paint shop to a four-story and basement 46 apartment building in an apartment (H-3) district, the Boston Redevelopment Authority has no objection to the granting of the variance. The proposed conversion will remove an eyesore and non-conforming use. The proposal conforms to the objectives of the Fenway Urban Renewal Plan.

Re: Petition No. Z-687
Deb Realty Trust
51 Fremont Street, Dorchester

Eleven variances and a forbidden use are sought to erect a three-story 31 unit apartment building in a two-family district (R-.5). A similar petition for seven variances, including the forbidden use, was denied by the Board of Appeal in February 1966. This should be an application for a zone change. The appellant is lacking most dimensional requirements. He would further violate the insufficient front yard with off-street parking. No evidence of hardship has been submitted to justify the variances. Denial is recommended.

VOTED: That in connection with Petition No. Z-687 brought by Deb Realty Trust, 51 Fremont St., Dorchester, for eleven variances and a forbidden use to erect a three-story 31 unit apartment building in a two-family (R-.5) district, the Boston Redevelopment Authority is opposed to the granting of the variances. The appellant was previously denied a similar petition by the Board of Appeal in February 1966. No evidence of hardship has been submitted. There is no practical difficulty. The proposed violations are detrimental to the neighbors and public welfare.

Re: Petition No. Z-688
Michael & Rita Fahey
20 Birchwood St., West Roxbury

Three variances, including a forbidden use, are sought to legalize a three-family occupancy in a single family (S-.5) district. The increased density is beyond the allowable limits of the code. The surrounding properties are predominantly one family. No evidence of substantial hardship has been submitted to justify the variances. Recommend denial.

VOTED: That in connection with Petition No. Z-688 brought by Michael & Rita Fahey, 20 Birchwood Street, West Roxbury for three variances to legalize a three family occupancy in a single family district, the Boston Redevelopment Authority is opposed to the granting of the variances. The appellant has not submitted evidence of hardship to justify the variances. The surrounding properties are predominantly one family. The proposed violations would be detrimental to these neighbors.

Re: Petition No. Z-689
Warren J. Wong
18 Hudson Street, Boston

Variance of rear yard less than required is sought to erect a one story and basement addition to a store and apartment building in a light manufacturing (M-8) district. The expansion to be used for food storage, will replace an existing metal shed. The Central Business District staff has no objection and approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-689 brought by Warren J. Wong, 18 Hudson Street, Boston, for a variance of rear yard less than required to erect a one story and basement addition in a light manufacturing district, the Boston Redevelopment Authority has no objection to the granting of the variance. This normal expansion will not be detrimental to the immediate area. All other requirements of the code have been met.

Re: Petition No. Z-690
Louis Tanzi
11 Ellswood St., West Roxbury

Variance of front yard less than required is sought to erect a two car garage in a single family (S-.5) district. The proposed setback of ten feet will be the same as the appellant's residence. Other non-conforming yards exist on the street. This appears to be a reasonable use of land which will provide desired off-street parking. Approval is recommended.

Optional case

VOTED: That in connection with Petition No. Z-690 brought by Louis Tanzi, 11 Ellswood Street, West Roxbury, for a variance of front yard less than required, to erect a two-car garage in a single family district, the Boston Redevelopment Authority has no objection to the granting of the variance. The request is a reasonable use of land which will provide much desired off-street parking.. Similar non-conforming yards exist in the immediate area.

Re: Petition No. Z-691
Steve Zaratzian
248-250 West Newton & 100 St. Botolph
Streets, Boston

An off-street parking less than required variance is sought to change occupancy from two apartments and stores to four apartments and stores in an apartment (H-2) district. The Fenway Project Director recommends approval provided adequate off-street parking can be guaranteed within a reasonable walking distance.

Optional case

VOTED: That in connection with Petition No. Z-691 brought by Steve Zaratzian, 248-250 West Newton & 100 St. Botolph Streets, Boston, for variance of off-street parking less than required in an apartment district, the Boston Redevelopment Authority has no objection provided adequate off-street parking can be supplied within a reasonable walking distance.

